

County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide

Immediate Need

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Background:

Immediate Need (IN) is a cash benefit available to CalWORKs applicant families, who have apparent eligibility, and who have an emergency situation and insufficient funds to meet the need. It is an aid payment made, when specific criteria are met, in advance of a completed determination of eligibility for CalWORKs.

EAS 40-129

Policy:

40-100.K.1 Request for IN

IN can be requested at any time during the application process:

IF the request is made...	AND...	Then...
At the time of the CalWORKs application,	The applicant indicates they have an Emergency Situation on the CalWORKs application form or completes an "Immediate Need Payment Request" (CW 4) form	A request for an IN payment exists.
By a verbal or written indication of Emergency Situation after the CalWORKs application has been submitted	The applicant completes an "Immediate Need Payment Request" (CW 4) form	

Note:

The only time the worker or other authorized person completes the IN request for the applicant is at the specific request of the applicant. The WORKER SHALL NOT ASK the applicant to withdraw an IN request.

40-100.K.2 Timeframe

A determination of eligibility for an IN must be made and recorded in CalWIN no later than the next working day following the receipt of the request. When feasible, state regulations require the worker to conduct the interview and eligibility determination the same day as the IN payment is requested.

40-100.K.3 Payment Level

The IN payment is the amount of cash aid to which the applicant family is entitled for the month of application, or \$200.00, whichever is less.

Eligibility:

40-100.K.4 Apparently Eligible

"Apparently eligible" means that the information provided on the Statement of Facts, and information otherwise available to the worker, indicates that the applicant would be eligible to CalWORKs if the information were verified.

In order to be apparently eligible:

- A non-citizen applicant must provide verification of eligible "non-citizen" status or show that the "exception criteria" are met.

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- A pregnant woman without other eligible children must provide acceptable medical verification of her pregnancy.

40-100.K.5 Emergency Situation

The following situations constitute an emergency for IN:

SITUATION	EXPLANATION — THE APPLICANT:
Lack of Housing	Meets the criteria to be homeless. (See CPG 44-200.C)
Pending Eviction	Has received any kind of eviction notice, including a three day notice to pay or quit.
Lack of Food	Does not have enough food to sustain the family for three calendar days.
Utility Shutoff	Has received any type of notification that utilities including telephone service will be shut off.
Transportation	Is unable to meet essential transportation needs such as those relating to food, medical care, or job opportunity.
Clothing	Lacks essential clothing such as diapers, or clothing needed for inclement weather.
Other	Have other emergencies of similar importance to the family's immediate health and safety.

40-100.K.6 Liquid Resources

Liquid resources are defined as exempt and nonexempt items of value, which are immediately available (**at the time of the request**), and reasonably convertible to cash in time to meet the emergency situation, and which belong to people who would be included in the AU. This includes, cash, negotiable securities, and similar resources. This does not include the cash surrender value of insurance policies, trust deeds, household items and furnishings, personal effects, motor vehicles, or real property.

40-100.K.7 Excess Liquid Resources

To determine if the applicant does not have excess liquid resources, use the following chart:

IF the emergency situation...	Then Liquid Resources...
Involves transportation,	Must be less than the cost of the emergency.
Is a pending eviction,	Together with income must be less than the rent owing.
Is any other emergency situation,	Must be less than \$100.00

If it is determined that the applicant has liquid resources in excess of the amounts listed above at the time of the request, the IN must be denied in CalWIN.

40-100.K.8 Technical Conditions

Technical conditions for CalWORKs are:

- Verification of, or application for, a SSN
- Application for unconditionally available income (includes UIB and DIB)

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- Cooperation with the Local Child Support Agency (LCSA) including signature on the Child/Spousal and Medical Support Notice and Agreement (CW 2.1/CW 2.1Q)

40-100.K.9 Eligibility Conditions

Eligibility for an IN payment exists if the applicant meets **ALL** of the following conditions:

CONDITIONS	THE APPLICANT MUST...
1.	Be apparently eligible for CalWORKs. Note: A non-citizen who does not provide verification of non-citizen status is NOT apparently eligible. A woman without other eligible children who does not provide verification of pregnancy is NOT apparently eligible.
2.	Have an emergency situation which cannot be addressed by: <ul style="list-style-type: none"> The issuance of CalFresh Homeless Assistance
3.	Not have excess liquid resources
4.	Have complied with, agrees to comply with, the technical conditions of eligibility
5.	Have completed the statewide fingerprint and imaging process (SFIS) for each AU member for whom it is required. (See CPG 40-100.V)

40-100.K.10 IN Request Procedures:

Action on the Immediate Need Request See Processing Guide 40-100.K.1

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40-100.K.11 IN for More than One Reason

When the applicant indicates on the IN request more than one unmet need, the worker must respond separately to each item requested; however, only one IN may be granted (i.e., up to \$200 total).

Example:

Applicant completes CW 4 indicating a request for IN based on homelessness AND lack of essential clothing. The homeless portion of the IN is denied as the applicant does not meet Homeless Assistance (HA) eligibility criteria. The IN based on lack of essential clothing must also be evaluated and IN action must be taken. In this situation a denial is issued for IN based on homelessness, and the IN for request for clothing is approved, requiring two notices and two entries in CalWIN.

Same situation as above, except the IN based on homelessness is approved. The applicant is issued the HA payment (\$60) with the HA NOA along with the approval of the IN request for homelessness. In addition the applicant is issued an IN payment (up to \$200) for the request for lack of essential clothing requiring a second approval NOA issued by CalWIN.

40-100.K.12 Second Immediate Need Request

A family is eligible for a second IN payment if all of the following are met:

- The IN has been issued
- A second request is made
- The applicant remains apparently eligible

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- The CalWORKs grant has not yet been issued
- The family emergency continues or a new emergency has arisen
- The IN payment issued in the previous month was for an amount less than \$200.00

Note: The second payment combined with the first IN will not exceed \$200.00.

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Example:

A mother with two children applies for CalWORKs and IN on December 29, 2015. The worker determines the customer IN eligible and hand issues a warrant for \$67.17. On January 3, 2016, the customer again contacts the worker and requests a second IN payment. The worker determines that she meets the criteria and issues a second IN check for \$132.83. The customer receives a total of \$200 in IN payments.

Example:

The applicant has already requested, and been issued, a \$200 IN payment (the maximum allowed). The applicant then finds they have a second IN request, and are eligible to an IN. The applicant has already been paid the maximum, so the worker offers the applicant "Expedited Determination of Eligibility" (EDE), if applicable.

40-100.K.13 CW 4 Requirements

The use of the Immediate Need Payment Request (CW 4) is as follows:

IF...	THEN the CW 4...
The applicant indicates on the SAWS 1 or the SAWS 2 PLUS they have an Emergency Situation,	Is not required.
At a later time during the application process the applicant indicates they have an Emergency Situation,	Must be completed.
The IN is denied,	Must be given to the applicant for any additional requests.

40-100.K.14 Special Situation – All But One Family Member Eligible

Take the following steps when some family members are apparently eligible, and other members do not meet apparent eligibility conditions, or the technical conditions of eligibility:

STEP	ACTION
1.	Process the application for IN, treating the people for whom eligibility cannot be determined as excluded people.
2.	If the condition of eligibility is verified prior to approval of the CalWORKs application, approve the excluded individuals with the rest of the AU.
3.	If the condition of eligibility is not verified within 45 days from the date of the CalWORKs application, deny the individuals and approve the rest of the AU.

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40-100.K.15 Expedited Determination of Eligibility (EDE) For CalWORKs

The applicant shall be permitted to choose in writing (CW 43) either the IN payment, or an Expedited Determination of CalWORKs Eligibility, when **all** of the following conditions are met:

- The applicant is found to be eligible for an IN payment
- The emergency situation is an eviction
- The applicant is in receipt of an eviction notice, including a three day notice to pay or quit
- The applicant has insufficient funds to pay the rent owed
- The applicant is currently residing in the home

Before the applicant chooses, the worker will inform the applicant in writing (CW 2200) of the information and verifications needed to determine eligibility for CalWORKs. The applicant's decision is to be documented in Case Comments and the CW 43 must be captured in CERMS.

The expedited eligibility determination must be completed, and payment issued (if they are eligible), within three work days from the date of the IN request (workers are to use all available resources to verify eligibility). If the eligibility determination cannot be completed, the worker will issue the IN payment no later than three working days following the IN request **if** the applicant is eligible.

Note: It is not required that an expedited determination of eligibility be offered when an IN is issued unless the applicant has an eviction notice, or the applicant chooses an expedited determination of eligibility in writing.

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40-100.K.16 Issuance of Expedited Determination of Eligibility (EDE) Payment

If eligibility for cash assistance is verified within the EDE timeframe, the regular aid payment for which the applicant is eligible will be issued in lieu of the IN. If the CalWORKs EDE eligibility determination cannot be completed, issue the IN payment no later than three working days following the date of the IN request.

40-100.K.17 IN Ineligibility/Denial

Deny the IN request in CalWIN and issue the IN Denial NOA when:

- The IN emergency is food, and the need has been met through the issuance of CalFresh within one working day after the date of the IN request.
- The IN emergency is homelessness, and a Homeless Assistance payment has been issued by the end of the working day following the date of the IN request.
- The applicant is not apparently eligible for CalWORKs.
- The applicant does not have an emergency situation based upon all available information.
- The applicant is eligible for an IN payment based on an eviction and has chosen an EDE for CalWORKs.
- The need has been verified as met by a community resource.
- The applicant is currently receiving CalWORKs or RCA.
- The IN request was made by an individual being added to an existing AU.
- The IN request was made on behalf of a child placed in Foster Care.
- The entire AU is currently being sanctioned.
- The worker is unable to establish the applicant's eligibility in the following circumstances:

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- The applicant fails, or refuses, to cooperate with the technical conditions of eligibility. Depending on the condition of eligibility, either the individual, or the entire AU, may be ineligible.
- The applicant fails to keep their interview.

40-100.K.18 Worker Requirements

When a request for an IN is made, the worker must do one of the following for each of the unmet need items:

- Approve the request in CalWIN
- Deny the request in CalWIN
- Complete an Expedited Determination of Eligibility (EDE)

After a determination is made, and the request has been processed, the worker will:

- Complete the "County Use Only" section of the SAWS 1/SAWS 2 Plus/CW 4
- Issue the NOA generated by CalWIN within the required timeframe

40-100.K.19 15-Day Timeframe

The applicant's eligibility for aid must be verified within 15 working days from the receipt of the IN request. This timeframe also applies to an IN request that was denied because the need was met by another public program, private resource, or one where the need was met by the issuance of Homeless Assistance.

When the 15 working day timeframe cannot be met, because of circumstances beyond the county's or customer's control, the eligibility verification process will continue. Narrate in CalWIN Case Comments the reason for the 15 day timeframe not being met.

The amount of aid payment will be the grant amount minus the value of any Immediate Need payment issued for that month. Issue the payment as soon as administratively possible.

When an Immediate Need payment has been issued, and the applicant family is determined to be ineligible for cash benefits, the application will be denied and the IN payment will be considered an overpayment.

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Impacts:

References:

ACL 09-43

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01/04/16

Sunset Date:

This policy will be reviewed for continuance by 01/31/19